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July 31, 2020

The Honorable Chad F. Wolf
Acting Secretary
Department of Homeland Security
3801 Nebraska Avenue NW
Washington, D.C. 20528

Matthew T. Albence
Deputy Director
Immigration and Customs Enforcement
500 12th Street SW
Washington, D.C. 20536

Dear Secretary Wolf and Deputy Director Albence:

I write to urge you to rectify the unjust immigration enforcement and detention policies that the Department of Homeland Security (DHS) and this Administration continue to enforce in the midst of the coronavirus (COVID-19) pandemic.

During the ongoing COVID-19 pandemic, DHS has failed to ensure that immigrant detainees' needs are quickly and adequately addressed. Almost 3,500 of the nearly 30,000 detainees in Immigration and Customs Enforcement (ICE) custody have tested positive for COVID-19 since the beginning of the pandemic. Almost 1,200 individuals with positive cases are currently in custody. ICE has continued to allow and process transfers of detainees to various detention centers within their system. These transfers heighten the likelihood of COVID-19 infection among detainees and create new outbreaks in previously unaffected facilities. DHS has continued to pursue removal cases for detainees, despite the health risks of detaining and deporting these individuals. There are also concerns of due process violations in cases where respondents were unable to appear in court due to health and safety risks of COVID-19. The Department of Justice (DOJ) and DHS were slow to address procedural changes needed to ensure the safety of detainees while they underwent these proceedings. Furthermore, ICE committed to providing detainees with 520 free phone call minutes per month but has not provided further clarification to Congress about consistent implementation of this policy.

ICE has failed to treat those who tested positive for COVID-19 adequately or those who demonstrated serious COVID-19 symptoms. One detainee reportedly was denied access to his medical records and only given asthma medication as treatment. Reports from multiple individuals stated that the facilities withheld information about

the spread of COVID-19 from employees, pressured employees to work when sick or waiting for test results and failed to ensure sanitation of sleeping and common areas with necessary frequency, mixed groups of people who had been exposed to COVID-19 with ones who had not, rationed PPE, and watered-down cleaning fluids. Detainees also reported lack of access to necessary supplies such as soap and PPE. They reported receiving only one bar of soap per week and that guards frequently did not wear masks or gloves. They also reported lacking of access to cleaning supplies for living spaces, and receiving only one mask that they had to wash and reuse.

I am deeply concerned about the increased challenges that COVID-19 places on detention facilities throughout the United States, particularly for those facilities already violating detention standards prior to the pandemic. In January, June, and November of 2019, the Department of Homeland Security's Office of the Inspector General released reports that highlighted numerous violations including overcrowding, limited supply of hygiene products, medical neglect, and generally poor living conditions. DHS has not demonstrated clear efforts to address and cure these issues, and it is clear that COVID-19 has only intensified and exacerbated the health risks and legal injustices that detainees are forced to bear.

It is my hope that the DHS will rectify these issues immediately.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael F. Bennet". The signature is fluid and cursive, with the first name "Michael" and last name "Bennet" clearly legible.

U.S. Senator Michael F. Bennet